

REMARKS

Status of Claims

Claims 1-22 are pending in the present application and are resubmitted for reconsideration. The independent claims of this application are claims 1, 12, 15, 16, 18, 21 and 22.

Rejections under 35 USC § 103

Claims 1-11 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Gwon (US Pub. 2003/0104814 A1), hereinafter “Gwon,” in view of Leung (US Patent No. 6,501,746), hereinafter “Leung.’

Claims 12, 15, 16, 18, and 21-22 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Eyuboglu et al. (US Pub. 2002/0196749 A1), hereinafter “Eyuboglu”, in view of Leung.

Claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Eyuboglu and Leung as applied to claim 12, and further in view of Ray et al. (US Pub. 2003/0135626 A1), hereinafter “Ray.”

Claims 17 and 19-20 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Eyuboglu and Leung as applied to claims 16 and 18, and further in view of Kato et al. (US Pub. 2002/0078226 A1), hereinafter “Kato.”

Applicants respectfully traverse the rejections. To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143-§2143.03 for decisions pertinent to each of these criteria.

Applicants submit that the cited references, either taken separately or in combination, do not disclose, teach or suggest all the subject matter recited in independent claims 1, 12, 15, 16, 18, 21 and 22, or *a fortiori* in any of their dependent claims.

In particular, Applicants submit that Gown does not disclose, teach or suggest transceiver “means adapted for high rate packet data communications; and session information identification **means for providing a location of session information for a current data communication session**, wherein **the location of session information identifies a storage location external to the access terminal**” as recited in claim in, e.g., independent claim 1. Gown is directed to a method of implementing a low latency handoff by a mobile node between source and target nodes that support different radio access technologies. However, what Gown only shows at paragraph [0064] is:

“Initiated by the link-up trigger, the MN sends the nFA a HReq(m) (Step 402) the data format of which is already shown in FIG. 5 . The difference is that the HReq(m) used in the Pre-MIT method has an extension that contains the nFA's L 2 identifier (L 3 identifier is optional), whereas the HReq(m) used in the Post-MIT has an extension containing the oFA's IP address. When receiving the HReq(m), the nFA sends a HReq(t) to the oFA (Step 403). The oFA then returns a HRply(s) (Step 404). Through an exchange of the HReq(t) and the HRply(s) between nFA and oFA, a tunnel is established between them. The HRply(s) from the oFA is relayed to the MN from the nFA (Step 405) to notify the MN that a tunnel has been established. The HRply(s) from the oFA may be forwarded to the MN when the first data is sent to the MN through the tunnel. The HReq(t) and the HRply(s) are in the same message format as shown in FIG. 6 . Since the HReq(t) is sent from the nFA (target) to the oFA (source), the H bit is unset and the N bit is set in the HReq(t). If the T bit is set in the HReq(t), the nFA is requesting reverse tunnel service. Also, a time indicated in the

Lifetime represents a request by the nFA for a reverse tunnel. A value of 0 in the Lifetime indicates that the nFA does not require reverse tunnel service."

However, Gown is silent about **"means for providing a location of session information for a current data communication session, wherein the location of session information identifies a storage location external to the access terminal"** as recited in, e.g., independent claim 1.

Applicants also submit that Eyuboglu does not disclose, teach or suggest "receiving a request for a first communication session; establishing the first communication session; **storing session information for the first communication session in a first location; determining a session information IP address to the first location; and assigning the session information IP address to a mobile station identifier** for an access terminal participant to the first communication session" as recited in, e.g., independent claim 12. Eyuboglu is directed to a method for radio network control wherein "access channel packets are routed from an access terminal having an existing session to the serving radio network controller by determining the IP address of the serving radio network controller using a session identifier." (See Abstract). However, Eyuboglu does not disclose, teach or suggest **"assigning the session information IP address to a mobile station identifier"** as recited in, e.g., independent claim 12.

Moreover, as correctly conceded by the Office Action, neither Gwon nor Eyugoblu disclose, teach or suggest "an element comprising the storage location **assigns the location of session information as an access terminal identifier**" as recited in, e.g., independent claim 1. The Office Action relies upon another reference, Leung, for this subject matter. However, and contrary to the Examiner's assertion, what Leung only shows at Col. 5:7-15 is:

"storing at least a portion of the mobile node ID in the registration request. Once an IP address is assigned to the mobile node, the IP address may then be transferred to the mobile node in a registration reply composed by the Home Agent. The mobile node ID, or portion thereof, may be similarly transferred in the registration reply to permit a Foreign Agent and the mobile node to map the mobile node ID to the assigned IP address. The mobile node may then use the IP address in subsequent communications with a corresponding node. The IP address may later be de-allocated for use by another mobile node."

Leung is directed to methods for assigning an IP address to a mobile node during registration. After registration a table is updated with a mapping of the mobile node ID to the IP address. However, there is no mention in Leung of assigning the location of session information **as an access terminal identifier**. In Leung, both the access terminal ID and the assigned IP address are used in conjunction, and the IP address is not used *in lieu of* the access terminal ID, and therefore is not “assigned as an access terminal identifier”. Thus, Leung does not disclose, teach or suggest the subject matter that is missing in either Gwon or Eyuboglu.

Therefore, Applicants submit that combining the teachings of either Gwon or Eyuboglu with the teachings of Leung would not yield the subject matter recited in independent claims 1, 12, 15, 16, 18, 21 and 22 of the present application.

Applicants therefore submit that independent claims 1, 12, 15, 16, 18, 21 and 22 are patentable over Gwon in view of Leung and are also patentable over Eyugoblu in view of Leung. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

It is submitted that claims 2-11 are also allowable because they depend from claim 1, which is allowable over the cited art references based upon the above arguments, as well as for the patentable subject matter recited in claims 2-11. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

It is submitted that claims 13 and 14 are also allowable because they depend from claim 12, which is allowable over the cited art references based upon the above arguments, as well as for the patentable subject matter recited in claims 13 and 14. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

It is submitted that claim 17 is also allowable because it depends from claim 16, which is allowable over the cited art references based upon the above arguments, as well as for the patentable subject matter recited in claim 17. Accordingly, reconsideration and withdrawal of its rejection is respectfully requested.

It is submitted that claims 19 and 20 are also allowable because they depend from claim 18, which is allowable over the cited art references based upon the above arguments, as well as for the patentable subject matter recited in claims 19 and 20. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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